

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|   |                               |
|---|-------------------------------|
| -----                                   | X                             |
| TVT MUSIC, INC.                         | )                             |
|   | )                             |
| Plaintiff,                              | )                             |
|   | ) Civil Action No. 05 CV 5602 |
| -against-                               | )                             |
|   | )                             |
| REP SALES, INC. d/b/a RYKO DISTRIBUTION | )                             |
| PARTNERS and DM RECORDS, INC. d/b/a     | )                             |
| ICHIBAN RECORDS and/or CRITIQUE         | )                             |
| RECORDS,                                | )                             |
|   | )                             |
| Defendants.                             | )                             |
| -----                                   | X                             |

**STATEMENT OF ECF SYSTEM FILING DIFFICULTY**

Due to scheduled maintenance on the Electronic Case Filing (ECF) system, we were unable to file this pleading on January 12, 2007. In attempting to e-file the pleading on January 12th, the ECF system stated that maintenance was being performed to upgrade the ECF system from 6:00 PM, Thursday, January 11, 2007 until 8:30 AM, Tuesday, January 16, 2007. Therefore, we were unable to log in and file this pleading on January 12, 2007 as ordered by the Court. We electronically filed this pleading as expeditiously as possible after gaining access to the ECF system.

**HALL, BOOTH, SMITH & SLOVER, PC.**

By: /s/ Karl M. Braun  
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*d/b/a RYKO Distribution Partners and DM*

*Records, Inc.*